

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows to correct minor antecedent basis issues and punctuation:

- Claim 76, line 6 has been amended from "guide wire the distal portion" to --guide wire, the distal portion--;
- Claim 76, line 7 has been amended from "apart major surfaces," to --apart major surfaces-- (common deleted);
- Claim 77, line 2 has been amended from "the range" to --a range--;
- Claim 87, line 6 has been amended from "guide wire the" to --guide wire, the--;
- Claim 87, line 8 has been amended from "apart major surfaces," to --apart major surfaces-- (common deleted);
- Claim 88, line 10 has been amended from "surfaces, and a pair" to --surfaces and a pair--;
- Claim 108, line 5 has been amended from "guide wire the" to --guide wire, the--;
- Claim 108, line 7 has been amended from "apart major surfaces," to --apart major surfaces-- (common deleted);
- Claim 109, line 2 has been amended from "the range" to --a range--.

Allowable Subject Matter

Claims 76-78, 81-84, 87, 88, 96 and 98-115 as presented in the amendments to the claims filed 04/19/2010 and in the Examiner's Amendment above are allowed over the prior art of record. Claims 105 and 106, previously withdrawn in the restriction requirement mailed 02/06/2009, are herein rejoined and have been fully examined on the merits.

The following is an examiner's statement of reasons for allowance:

The claims in this application have been allowed because the prior art of record fails to disclose, either singly or in combination, the claimed invention, including:

Independent claims 76, 87, 88: an elongated guide wire comprising a elongated core wire including a distal portion of the guide wire being of a substantially rectangular transverse cross-section defining a pair of spaced apart major surfaces and a pair of spaced apart minor surfaces extending between the major surfaces, the major surfaces of the distal portion of the core wire converging towards the distal end, where the distal portion of the core wire is bent into a curved configuration in the central major plane; and

Independent claims 108 and 115: an elongated guide wire comprising a elongated core wire including a distal portion of the guide wire being of a substantially rectangular transverse cross-section defining a pair of spaced apart major surfaces and a pair of spaced apart minor surfaces extending between the major surfaces, the minor surfaces of the distal portion of the core wire converging towards the distal end, where

the distal portion of the core wire is bent into a curved configuration in the central major plane.

The closest prior of art of record includes:

US 5957865 to Backman et al. who disclose comprising a elongated core wire including a distal portion of the guide wire being of a substantially rectangular transverse cross-section defining a pair of spaced apart major surfaces and a pair of spaced apart minor surfaces extending between the major surfaces but do not expressly disclose where the minor surfaces of the distal portion of the core wire converging towards the distal end and where the distal portion of the core wire is bent into a curved configuration in the central major plane.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SEAN P. DOUGHERTY whose telephone number is (571)270-5044. The examiner can normally be reached on Monday-Friday, 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (571) 272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3736

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sean P. Dougherty/
Examiner, Art Unit 3736

/Max Hindenburg/
Supervisory Patent Examiner, Art Unit 3736